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National Organics Standards Board
Washington, DC

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Re: Comments on Handling Committee Recommendation
Relative to "Agricultural" and "Nonagricultural" Substances

On July 18, 2005, the Handling Committee of the NOSB recommended that yeast be classified as a "non-agricultural". The reasons given by the Handling Committee are presented in a Proposed Guidance Document. Because those reasons rely heavily on the anatomical and physiological means by which yeast reproduces in comparison to other organisms, I submit that the basis of the document is grossly flawed and request the NOSB to reclassify yeast as an "agricultural product" instead of a "nonagricultural substance." I further request that the Proposed Guidance Document be withdrawn.

The commercial production procedure stated in the Proposed Guidance Document is not entirely accurate, and organically certified yeast production is not limited to *Aspergillus* sp and *Penicillium* sp. The commercial production of certified organic yeast uses organic agricultural commodities throughout the entire process. We have been producing organically certified yeast culture for over two years using *Saccharomyces cerevisiae*, a yeast that has been used extensively as a livestock feed supplement for many years, especially in the dairy industry. We fail to see how a product that is dependant upon agricultural inputs during its manufacture and used in agricultural livestock production as an agricultural commodity can be classified as "non-agricultural".

The Proposed Guidance Document ignores the entire philosophical basis behind organic production. Using an organism's "fruiting bodies" or "buds" as criteria can easily be interpreted as a prejudicial attempt to single out yeast as something "different", rather than the issue of how food is produced and handled.

The opening paragraph in the Proposed Guidance Document creates a new definition for "agricultural products" and the Human Management reads more like an academic exercise. According to the Organic Foods Production Act, SEC. 2103 [7 U.S.C. 6502] (1) "any agricultural commodity or product.....for human or livestock consumption" is an agricultural product. Therefore, yeast fits the definition of an agricultural commodity according to the Organic Foods Production Act.

I call on the NOSB to correct this problem by supporting the designation of yeast as an "agricultural product."

Sincerely,

Lawrence Mayhew
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